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July 11, 2023

VIA ECF

Honorable Cheryl L. Pollak
United States Chief Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Carlton Roman v. City of New York, et al.
22-cv-6681 (NGG) (CLP)

Your Honor:

Pursuant to Your Honor's Order at the July 6, 2023 status conference in the above-referenced case, Defendants respectfully submit a status report as to the scheduling of the depositions of DA Katz, Lt. Torres, and Mr. Quinn.

Since the status conference on July 6, 2023, the undersigned and Plaintiff's counsel, Mr. Henning, conducted a meet and confer by telephone on July 10, 2023, and a second meet and confer was arranged for today at 2pm, however, Plaintiff's counsel indicated there was no need to conduct same.

The undersigned is happy to report that all counsel have confirmed that the deposition of Lt. Torres, who is represented by Anastasia Spanakos of the Queens County District Attorney's Office ("QCDA"), will go forward on August 8, 2023¹.

As for Mr. Quinn's deposition, while the QCDA has represented that Mr. Quinn is not available in July for a deposition, it is the hope that he will be available the same week as Lt. Torres for his deposition (sometime during the week of August 7). Unfortunately, because Mr. Quinn is travelling, Ms. Spanakos, who has been coordinating his schedule, has not been able to reach Mr. Quinn to confirm his schedule or representation, and therefore, a date for his deposition

¹ Although the undersigned is not available on this day, for the sake of moving these depositions forward and complying with the Court's orders, this Office will ensure that someone is available to attend this deposition on her behalf.

has not been finalized. We will endeavor to obtain this information as soon as possible and update the Court with that information before the end of this week.

With respect to DA Katz, her counsel, Mr. Castellano, represents that because his letter motion of July 10, 2023 is still pending, he cannot provide dates for DA Katz's deposition. In addition, DA Katz is retaining separate counsel, who will be filing a notice of appearance within the next couple days and who will defend her deposition. Accordingly, that counsel's schedule will also need to be taken into account in the event Mr. Castellano ceases to serve as counsel.

Defendants would also like to note for the Court that this letter was circulated to Mr. Henning in advance of filing in an effort to avoid burdening the Court with excessive letters and work with Mr. Henning in good faith. Mr. Henning claimed to have issues with its contents, and thus, the undersigned called him to discuss what he perceived to be an issue. During the call, Mr. Henning stated that Defendants have made it impossible to meet and confer and that he intends to file a response to this letter. Despite Defendants' continuous efforts to finalize all the deposition dates, it was not possible given what is discussed above and Defendants assure the Court that everything stated in this letter is true and accurate.

Defendants thank the Court for its time and consideration herein.

Respectfully submitted,

/s/ Seema Kassab
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Special Federal Litigation Division

cc: Via ECF
All counsel of record